

## **AGENDA**

**REGULAR MEETING  
BOARD OF COMMISSIONERS  
CITY OF FRANKFORT, KENTUCKY  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
(502) 875-8500**

**SEPTEMBER 15, 2003  
5:00 P.M. (EST)**

- |                       |  |
|-----------------------|--|
| <b>1. INVOCATION</b>  | Rev. Jana Hall, First Presbyterian Church                          |
| <b>ROLL CALL</b>      |  |
| <b>PUBLIC HEARING</b> | Proposed 2003 Tax Rate   |
| <b>MINUTES</b>        | August 18, 2003 Regular Meeting; September 8, 2003 Special Meeting |
| <b>MAYOR'S REPORT</b> |  |

- 2. CEREMONIAL ITEMS**  
None.

**3. ORDINANCES**

- 3.1 An Ordinance Amending Frankfort/Franklin County Zoning District Regulations, Article 3, Section 3.01 Definitions and Article 4, Section 4.5 Table of Permitted Uses and Section 4.06 Noted Special Conditions. (Second reading)

Purpose: The purpose of this item is to update the Zoning Ordinance by making it consistent with new legislation concerning manufactured homes.

Background: During the 2002 session of the Kentucky General Assembly, several amendments were made to the Kentucky Revised Statutes, Chapter 100. More specifically, several definitions and compatibility standards relating to manufactured homes were approved and became effective on 7/1/03.

The proposed definitions to the City of Frankfort Zoning Ordinance are consistent with the amendments to KRS Chapter 100, as indicated. The definition of "Manufactured Home" KRS 100.348 (2) (c) will replace the existing definition of "Mobile Home or Manufactured Home" and the definition of "Qualified Manufactured Home" KRS 100.348 (2) (d) will replace the existing definition of "Modular Home". The definition of "Mobile Home", as per KRS, will be added to Article 3.01. The existing definition of "single-family dwelling" has been modified to include the addition of the proposed compatibility standards. To further clarify Manufactured Home Parks and Subdivisions, staff is also recommending the addition of these definitions not currently defined in the zoning ordinance.

The Planning Commission approved the proposed ordinance amendment and adopted the staff report as the "Summary of Findings." Furthermore, there was no one in the audience at the meeting for or against the proposed amended ordinance. The motion to support the ordinance amendment and recommend the City Commission to approve the ordinance was unanimous.

The information contained within this proposed amendment was obtained from the Kentucky Revised Statutes and the Kentucky Manufactured Housing Institute.

On 8/18/03, the City Commission gave first reading of the proposed ordinance.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Gary Muller  
Title: Director  
Department: Planning and Building Codes  
Phone: (502) 875-8513  
E-mail: Gmuller@fewpb.com

3.2 An Ordinance Fixing the Rate of Taxation for the Year 2004 on All Motor Vehicles and Levying Said Tax for All City Purposes. (Second reading)

Purpose: The purpose of this item is to consider an ordinance to set tax rate for motor vehicles for the year 2004 at 22.7 cents per \$100.00 valuation.

Background: The tax rate must be set no later than 10/1/03, as required by the Kentucky Department of Revenue. The tax rate proposed for 2004 is the same rate as approved for 2003.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: James C. Rogers  
Title: Director  
Department: Finance  
Phone: (502) 875-8505  
E-mail: Jrogers@fewpb.com

3.3 An Ordinance Amending Frankfort Municipal Code Chapter 15.24, Ordinance No. 14, 1999 Series, and Ordinance No. 24, 2001 Series, Property Maintenance Code. (Second reading)

Purpose: The purpose of this text amendment is to amend several sections of the Property Maintenance Code in order to better reflect the current acceptable standards of vacant properties, to amend the fine table, to reduce number of citations issued for repeat violators, to clarify that a public nuisance constitutes a violation, and to define a failure to comply with a board order as a separate violation.

Background: On 7/21/03, the City Commission requested staff to present recommended code changes to the Property Maintenance Code during the 8/4/03 Commission work session. During the work session, it was agreed that the draft ordinance would be added to the 8/18/03 regular Commission meeting.

On 8/18/03, the City Commission gave first reading of the proposed ordinance.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Gary Muller  
Title: Director  
Department: Planning and Building Codes  
Phone: (502) 875-8513  
E-mail: Gmuller@fewpb.com

3.4 An Ordinance Amending Ordinance No. 8, 2003 Series, and Frankfort Municipal Code Section 2.93.050 Bi-Weekly Rates (Salary Ordinance). (Second reading)

Purpose: The purpose of this item is to consider establishing the position of Deputy Finance Director/Purchasing Agent and deleting the Purchasing Agent and Financial Operations Coordinator positions.

Background: Since April 2003, the duties of the Purchasing Agent have been assumed by the Finance Department.

Many of the duties related to purchasing have to constantly be monitored by Finance, such as tracking purchase orders, maintenance of accounts payable and inventory control. Tighter internal controls can be exercised if both of the duties are merged into one function. It will provide a financial benefit for the City of Frankfort and also make the purchasing process more centralized, therefore, more efficient.

Financial Analysis: Result in a financial savings of \$34,600.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: James C. Rogers  
Title: Director  
Department: Finance  
Phone: (502) 875-8505  
E-mail: Jrogers@fewpb.com

3.5 An Ordinance Fixing the Rate of Taxation for the Year of 2003 on All Tangible Property Subject to Tax, Trust and Insurance Companies, Public Service Companies and Levying Said Tax for All City Purposes. (First reading)

Purpose: The purpose of this item is to consider an ordinance setting the tax rate for 2003 Ad Valorem Taxes (allowing 4% increase) and setting the rate for 2003 Insurance Taxes.

Background: Proposed rates are as follow: (For General Fund Purposes)

- |    |                  |            |
|----|------------------|------------|
| 1. | Ad Valorem       | 19.6 cents |
| 2. | Insurance Shares | 15.0 cents |

Rates are levied for each \$100 valuation.

Financial Analysis: By adopting the above rate, the City will net an additional \$134,289 in general fund revenue. Included in the \$134,289 is \$50,870 derived from new property.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: James C. Rogers  
Title: Director  
Department: Finance  
Phone: (502) 875-8505  
E-Mail: [Jrogers@fewpb.com](mailto:Jrogers@fewpb.com)

3.6 An Ordinance Amending Ordinance No. 34, 2000 Series, and Frankfort Municipal Code Section

5.12.100 to Permit the Sale of Malt Beverages by Certain Private Clubs on Sundays. (First reading)

Purpose: The purpose of this ordinance is to consider permitting the sale of malt beverages by certain private clubs on Sundays from 1:00 p.m. until 9:00 p.m.

Background: Attorney Steven G. Bolton attended the Board's 9/8/03 Work Session on behalf of VFW Post No. 4075 and proposed an amendment to existing ordinance which would permit the sale of malt beverages by the drink by certain private clubs on Sundays.

The proposed ordinance covers only certain private clubs which have been granted all appropriate licenses for the sale of malt beverages and which have dining facilities with a minimum seating capacity of one hundred (100) people at tables; are nonprofit, eleemosynary organizations with a membership of at least five hundred (500); and have been in existence for a period of at least two (2) years.

Attachments: Ordinance.

#### **4. ORDERS**

##### **4.1 An Order Authorizing the Appointment of an Advisory Board for the Purpose of Reviewing Local Law Enforcement Block Grant (LLEBG) Applications. (Police Department)**

Purpose: The purpose of this item is to appoint members to an Advisory Board for the purpose of making non-binding recommendations for the use of funds received from the 2003 Local Law Enforcement Block Grant Program administered by the U.S. Department of Justice.

Background: A requirement of the Local Law Enforcement Block Grant Program is the appointment of an Advisory Board consisting of the following:

local police department, local prosecutor's office, local court system, local school system, and a local non profit community group active in crime prevention or drug use prevention or treatment.

Recommendation: Approval.

Attachments: Order.

##### **Contact Person**

Name:	Ted W. Evans
Title:	Chief of Police
Department:	Police
Phone:	(502) 875-8523
E-mail:	tevens@fewpb.com

#### **5. RESOLUTIONS**

None.

#### **6. CONSENT CALENDAR**

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Commission member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

#### 6.1 Bid Award: Concession Building at Capitol View Park. (Parks and Recreation)

Purpose: The purpose of this item is to consider a bid award to Meyer Midwest for construction of a concession building at Fannin Field, Capitol View Park.

Background: In April 2003, Meyer Midwest was awarded a contract to build a pressbox/restroom building at Capitol View Park. There was also a bid of \$34,800 to construct a concession building at Fannin Field; however, the contract award was postponed due to lack of funds. Meyer Midwest was the sole bidder.

Financial Analysis: Funding is allocated in the current budget for Capitol View Park Phase IV in the amount of \$50,000.

Recommendation: Approval.

Attachments: Meyer Midwest Original Bid.  
Letter dated 8/29/03 from Meyer Midwest.

Contact Person:

Name: Steve Brooks  
Title: Director  
Department: Parks and Recreation  
Phone: (502) 875-8575  
E-mail: [Sbrooks@fewpb.com](mailto:Sbrooks@fewpb.com)

#### 6.2 Bid Award: One 2004 Ford Pickup, F250 Four-Wheel Drive. (Parks and Recreation)

Purpose: The purpose of this item is to receive authorization to purchase one 2004 Ford Pickup, F250 four-wheel drive with trailer tow package and crew cab option, under state price contract.

Background: Funding has been allocated for the purchase of a new vehicle for the Department. The truck will be purchased under state price contract with Man-O-War Ford in Lexington, State Contract Master Agreement No. C-01012846, in the amount of \$22,894.

Financial Analysis: Funds are allocated in equipment account 100.80.56550 (\$20,000 for purchase of vehicle, \$2,894 savings on purchase of turf equipment).

Recommendation: Approval.

Attachments: None.

Contact Person:

Name: Steve Brooks  
Title: Director  
Department: Parks & Recreation  
Phone: (502) 875-8575  
E-Mail: [Sbrooks@fewpb.com](mailto:Sbrooks@fewpb.com)

#### 6.3 Authorization to File Grant Application with Kentucky Department for Local Government for Land & Water Conservation Funds (LWCF). (Parks and Recreation)

Purpose: The purpose of this item is to consider authorizing the Department of Parks and Recreation to apply for grant funding from the Kentucky Department for Local Government to provide for construction of restroom facilities, water fountain, and bury overheard wires at Cove Spring Park.

Background: Total grant application will be in the amount of \$50,000, with \$25,000 requested from Land & Water Conservation Funds (LWCF) and \$25,000 City match.

Financial Analysis: \$25,000 local match is allocated in Parks and Recreation budget, \$11,000 from account 100.86.65550 and \$14,000 from account 100.83.53295.

Recommendation: Approval.

Attachments: None.

Contact Person

Name: Steve Brooks  
Title: Director  
Department: Parks and Recreation  
Phone: (502) 875-8575  
E-mail: [Sbrooks@fewpb.com](mailto:Sbrooks@fewpb.com)

6.4 Sewer Extension Contract with Jerry Ragland for The Greens at Duckers Project. (Sewer Department)

Purpose: The purpose of this item is to consider a sewer extension contract with Jerry Ragland, Developer of The Greens at Duckers off of U.S. 421 by Duckers Point Subdivision in Franklin County, which is zoned residential development of 75 lots with improvements including 19 new manholes; 3,807 feet of 8-inch SDR35 pipe.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

The developer has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval.

Attachments: Sewer Extension Contract.

Contact Person

Name: William R. Scalf, Jr., P.E.  
Title: Director  
Department: Sewer  
Phone: (502) 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

6.5 Joint Funding Agreement with U.S. Geological Survey, Kentucky River Lock 4 Gaging Station. (Sewer Department)

Purpose: The purpose of this item is to consider a Joint Funding Agreement with the U.S. Geological Survey for the continued operation and maintenance of a Gaging Station on Kentucky River Lock 4 for a period of October 1, 2003 through September 30, 2004.

Background: The U.S. Army Corps of Engineers turned the operation of Lock 4 over to the Kentucky River Authority in 2001. The flows from the gaging station located upstream of the lock have been funded by the Corps of Engineers. With transfer of responsibility, the U.S. Geological

Survey will no longer track flows on the Kentucky River. This Agreement will allow the Sewer Department to continue to access the flow information for its KPDES Permit.

Financial Analysis: Annual cost to the City in the amount of \$2,580 is allocated in Sewer account 200.68.53295.

Recommendation: Approval.

Attachments: Joint Funding Agreement.

Contact Person

Name: William R. Scalf, Jr., P.E.  
Title: Director  
Department: Sewer  
Phone: (502) 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

6.6 Authorization to Declare Mowing Equipment as Surplus for Disposal through Trade In. (Parks and Recreation)

Purpose: The purpose of this item is to consider declaring one Jacobsen Triplex Mower and one Jacobson HF15 Mower as surplus and authorize disposal through trade in toward purchase of a one year old John Deere mower.

Background: Parks and Recreation is in need of a mower for the soccer and football fields at Capitol View Park. Authorization is requested to declare as surplus one Jacobson Triplex Mower, CVP 03020, Serial Number 1189, which is six years old, and one Jacobson HF15 Mower which is eleven years old, to be disposed of through trade in toward the purchase of a one year old, five reel John Deere Rotary Mower being purchased from Xenia Power Equipment, Nicholasville, Kentucky.

The cost of the John Deere Rotary Mower is \$26,900, less trade-in value of \$9,000 for the two mowers, resulting in a final purchase price of \$17,900. The cost for a new John Deere Rotary Mower would be in the amount of \$35,000.

Financial Analysis: Funding is allocated in account 100.80.56550.

Recommendation: Approval.

Attachments: None.

Contact Person

Name: Steve Brooks  
Title: Director  
Department: Parks and Recreation  
Phone: (502) 875-8575  
E-mail: [Sbrooks@fewpb.com](mailto:Sbrooks@fewpb.com)

6.7 Authorization to pay Tamplin & Company for Professional Services performed at Frankfort Research and Office Park. (Finance Department)

Purpose: The purpose of this item is to pay Tamplin & Company for completion of appraisal services involving the Frankfort Research and Office Park.

Background: In July 1997, the City entered into a contract with Tamplin & Company to complete certain appraisal services involving the Frankfort Research and Office Park. The contract was for

\$5,000. At some point, the former City Manager advised Mr. Tamplin to “put his work on hold”. At that time, Mr. Tamplin had completed 70% of the requested work and advises the City owes his firm \$3,500 for his services. (See copy of letter attached.)

Financial Analysis: Funds are available in the Reserve for Contingency Account 100-95-53295 for this unbudgeted expenditure in the amount of \$3,500.

Recommendation: Approval.

Attachments: Letter dated 8/25/03 from Tamplin & Co.  
Letter dated 8/13/03 from Tamplin & Co.  
City of Frankfort Purchase Order dated 7/29/97.

Contact Person

Name: James C. Rogers  
Title: Director  
Department: Finance  
Phone: (502) 875-8505  
E-Mail: Jrogers@fewpb.com

## 6.8 Personnel.

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Promotion	David Sams	Public Works	9/16/03	From Equipment Operator I to Sanitation Foreman
Promotion	Eugene Carr	Public Works Street Division	9/16/03	From Equipment Operator I to Equipment Operator II
Appointment	Jeffrey J. Hurst	Sewer	9/16/03	Electrician
Appointment	Gregory A. Miley Jeffrey S. Perry	Sewer	9/30/03	Collection System Laborer
Appointment	James B. Satterwhite	Sewer	9/30/03	Pump Maintenance Assistant

Attachments: None.

Contact Person

Name: Gary Muller  
Title: Acting City Manager  
Department: City Manager  
Phone: (502) 875-8513  
E-Mail: Gmuller@fewpb.com

## 7. BOARD APPOINTMENTS

- 7.1 Holmes Street Task Force
- 7.2 Architectural Review Board
- 7.3 Merger Commission



## 8. OLD BUSINESS

### 8.1 Change Order #2 for Leonardwood Drive Extension Contract with Randle Davies Construction Company, Inc. (Public Works Department)

Purpose: The purpose of this item is to consider Change Order #2 for the Leonardwood Drive Extension Project with Randle Davies Construction Company, Inc.

Background: The Leonardwood Drive Extension Project and widening of Kings Daughter Drive is currently under construction. Brighton Engineers prepared construction plans for the Project and is conducting the construction monitoring services. On 8/29/03, Brighton Engineers reported that the road sub-grade was unsuitable. The sub-grade was soft and experienced pumping when construction equipment drove over it. After consulting with a geotechnical engineer who performed soil tests on the Project, the project engineer recommends removing the unsuitable soil and placing #2 stone on the roadbed. The #2 stone will help stabilize the sub-grade.

In addition, the project engineer recommends adjusting the final elevations of the drainage structures located near Ashwood Place. Lowering the manhole lid elevations will reduce the rights of way cross slope adjacent to the project and allow for a proper tree buffer. The City agreed to plant the tree buffer in order to reduce the impact of road noise to the adjacent residence.

Recommendation: Approval.

Financial Analysis: Change Order #2 will require a budget amendment during the 2003-04 fiscal year to the Capital Improvement Account (100.90.53295). The net increase of \$178,039.85 to the construction contract with Randle Davies Construction Company, Inc. will raise the total contract price from \$411,194.54 to \$589,234.39.

Attachments: Change Order #2.

#### Contact Person

Name:	Jeff Hackbart	Jonathan Otis
Title:	Director	Project Engineer
Department:	Public Works	Brighton Engineers
Phone	(502) 875-8563	(502) 695-2300
E-mail	<a href="mailto:jhackbrt@fewpb.com">jhackbrt@fewpb.com</a>	

### 8.2 Authorization for Payment to CSX Transportation, Inc. for Streetscape Phase 2 Project. (Public Works Department)

Purpose: The purpose of this item is to consider payment to CSX Transportation, Inc. in the amount of \$10,154.72.

Background: The City of Frankfort obtained a construction permit from CSX during the installation of underground electric near the intersection of Broadway and Lewis Street. The City paid \$9,175 for the railroad bore permit. On 7/21/03, the City received a second invoice from CSX for the flagging protection provided by CSX personnel while Meyer Midwest bored under the railroad tracks.

Financial Analysis: This payment will require a budget amendment during the 2003-04 fiscal year to the Capital Improvement Account (100.90.53295) in the amount of \$10,154.72.

Recommendation: Approval.

Attachments: CSX Invoice dated 07/21/03.

#### Contact Person

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone (502) 875-8563  
E-mail [jhackbrt@fewpb.com](mailto:jhackbrt@fewpb.com)

## **9. NEW BUSINESS**

### **9.1 Kentucky River Bank Restoration Project. (Public Works Department)**

Purpose: The purpose of this item is to consider allocation of funds to pay an unbudgeted expenditure for repair of river bank near Sullivan Parking Garage.

Background: The Public Works Department was notified by Central Parking that the river bank next to Sullivan Parking Garage had fallen off into the river. After investigating, Public Works recommends repairing the river bank with riprap and pre-cast concrete stabilizers. The repair is necessary to avoid further bank failure and will protect the Parking Garage's foundation that borders the river bank. The City will purchase the materials and will contract the labor and equipment for the repair. The materials cost for this project is estimated at \$10,000 and the labor and equipment cost is estimated at \$18,000.

Financial Analysis: This project will require a budget amendment during the 2003-04 fiscal year to the Capital Improvement Account (100.90.53295). The estimated cost for the repair is \$28,000.

Recommendation: Approval.

Attachments: None.

#### **Contact Person**

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone: (502) 875-8563  
E-mail: [jhackbrt@fewpb.com](mailto:jhackbrt@fewpb.com)

### **9.2 Drainage Problem on Carey Avenue. (Public Works Department)**

The Public Works Director will provide an update to the Board on this drainage problem.

## **10. CITIZEN COMMENTS (Non-agenda items)**

## **11. COMMISSIONER COMMENTS**

## **12. ADJOURNMENT** Closed Session, KRS 61.810 (1), (f), personnel.